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4 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
5 AT SEATTLE

6 MARK WAYNE CROW,

7 Petitioner,

Case No. C10-2076-RSM

8 v.

**ORDER DENYING PETITIONER'S
AMENDED § 2254 PETITION**

9 ELDON VAIL,

10 Respondent.

11 The Court, having reviewed petitioner's amended petition for writ of habeas corpus, the
12 Report and Recommendation of Brian A. Tsuchida, United States Magistrate Judge, Petitioner's
13 Objections thereto, and the remaining record, does hereby find and **ORDER:**


14 (1) The Court adopts the Report and Recommendation.

15 (2) The Court **DENIES** petitioner's amended petition for writ of habeas corpus (Dkt.
16 28) and **DISMISSES** the matter with prejudice as time barred.

17 (3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the
18 United States District Courts, a certificate of appealability is **DENIED**.

19 (4) The Clerk shall send copies of this Order to petitioner and to Judge Tsuchida.

20 DATED this 10th day of May 2012.

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22 RICARDO S. MARTINEZ
23 UNITED STATES DISTRICT JUDGE